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Jurors to Begin Deliberations In Shooting of Libyan in 1980

FORT COLLINS, Colo., Dec. 1 (UPI) — The defense and prosecution completed their cases today in the trial of a former Green Beret who contends that he shot a Libyan dissident in self-defense while on a mission for the Central Intelligence Agency.

Eugene A. Tafoya, 47 years old, is charged with attempted murder and conspiracy in the shooting of Faisal Zagallai, a Libyan graduate student, on Oct. 14, 1980. Mr. Zagallai has recovered except for the loss of sight in one eye.

Several rebuttal witnesses testified today, including Farida Zagallai, the wife of the victim, who said she heard her husband call out to her in Arabic shortly before he was shot twice in the head.

Mrs. Zagallai was the only person in the couple's apartment other than Mr. Tafoya and her husband when the shooting occurred.

Sequestering of Jury

Judge J. Robert Miller of State District Court recessed the trial until Wednesday morning, when he will deliver his instructions to the jury, which will begin deliberations after hearing oral arguments. Judge Miller told the nine women and three men on the jury that they would be sequestered in their deliberations.

Just before the trial was recessed, the jurors heard testimony from Jerry Johnson, an attorney for the Central Intelligence Agency, about a telephone conversation that he had last June with a Fort Collins police detective.

The detective has said that Mr. Johnson told him the intelligence agency would deny any relationship with Mr. Tafoya, even if there had been one. Mr. Johnson testified that he had actually said it was not the agency's policy to

deny knowledge of nonsecret information.

The prosecution has maintained that Mr. Tafoya, a former explosives expert in the Army Special Services, may have been hired to kill Mr. Zagallai because of the graduate student's outspoken criticism of Muammar el-Qaddafi, Libya's leader.

Mr. Tafoya said in nearly three days of testimony that he believed he was carrying a message from the C.I.A. when he went to Mr. Zagallai's apartment posing as a job interviewer. Mr. Tafoya said he shot Mr. Zagallai in self-defense.

Mrs. Zagallai testified that she was in the kitchen when she heard her husband shout in Arabic: "Farida! It's him! It's him!"

Mrs. Zagallai said she ran to her bedroom because she thought her husband had been killed and that her life was in danger. She said she broke a window and stayed in the bedroom until the police arrived later.

Detective Ray Martinez of the police, who testified earlier today, said Mr. Tafoya changed his story about the shooting somewhat between his initial interrogation last May and a second session in September.

The detective said Mr. Tafoya originally said he had been sent to "rough up" Mr. Zagallai and that when the Libyan grabbed for Mr. Tafoya's gun, there was a struggle and the shots followed.

In September, Mr. Martinez testified, Mr. Tafoya said he believed he had been sent by the Central Intelligence Agency to give Mr. Zagallai a message to stop making anti-Qaddafi statements publicly, and that he felt he had been "set up" and abandoned by the agency.